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**FAX TRANSMITTAL SHEET**NO. OF PAGES (including this page): 34

TO: Examiner D. Jiang  
Art Unit: 1646  
FAX: (703) 872-9306  
FROM: Sheela Mohan-Peterson  
DATE: May 21, 2004  
RE: Docket No.: DX01170K  
USSN: 09/863,818  
Filed: 05/23/2001  
Title: MAMMALIAN DCRS9; RELATED REAGENTS AND METHODS

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**Melanie Lyons at (650) 496-1183**

## Documents attached:

1.	Transmittal	1 page
2.	Fee Transmittal (in duplicate)	2 pages
3.	Amendment and Response (7 pgs.) with Exhibits A, B, & C (21 pgs.)	28 pages
4.	Notice of Appeal	1 Page
5.	Extension of Time Request	1 Page

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Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on May 21, 2004

May 21, 2004  
Melanie Lyons

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PTO/SB/21 (08-03)

Approved for use through 08/30/2003. OMB 0651-0031

U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

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<b>TRANSMITTAL FORM</b> <i>(to be used for all correspondence after initial filing)</i>	Application Number	09/863,818	
	Filing Date	May 23, 2001	
	First Named Inventor	Daniel M. Gorman	
	Art Unit	1646	
	Examiner Name	D. Jiang	
Total Number of Pages in This Submission	34	Attorney Docket Number	DX01170K

**ENCLOSURES** (Check all that apply)

<input checked="" type="checkbox"/> Fee Transmittal Form <input type="checkbox"/> Fee Attached <input checked="" type="checkbox"/> Amendment/Reply <input checked="" type="checkbox"/> After Final <input checked="" type="checkbox"/> with Exhibits A, B, & C <input checked="" type="checkbox"/> Extension of Time Request <input type="checkbox"/> Express Abandonment Request <input type="checkbox"/> Information Disclosure Statement <input type="checkbox"/> Certified Copy of Priority Document(s) <input type="checkbox"/> Response to Missing Parts/Incomplete Application <input type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53	<input type="checkbox"/> Drawing(s) <input type="checkbox"/> Licensing-related Papers <input type="checkbox"/> Petition <input type="checkbox"/> Petition to Convert to a Provisional Application <input type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address <input type="checkbox"/> Terminal Disclaimer <input type="checkbox"/> Request for Refund <input type="checkbox"/> CD, Number of CD(s) _____	<input type="checkbox"/> After Allowance Communication to Group <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences <input checked="" type="checkbox"/> Appeal Communication to Group (Appeal Notice, Brief, Reply Brief) <input type="checkbox"/> Proprietary Information <input type="checkbox"/> Status Letter <input checked="" type="checkbox"/> Other Enclosure(s) (please identify below):
<b>Remarks:</b> 1. Fax Transmittal Sheet		

**SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT**

Firm or Individual	Sheela Mohan-Peterson, Reg. No. 41,201 DNAX Research, Inc. 901 California Ave. Palo Alto, CA 94304-1104
Signature	<i>Sheela Moh. Peterson</i>
Date	21-May-2004

**CERTIFICATE OF TRANSMISSION/MAILING**

I hereby certify that this correspondence is being facsimile transmitted to the USPTO or deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on the date indicated below:			
Typed or printed	Melanie Lyons		
Signature	<i>Melanie Lyons</i>	Date	5-21-04

This collection of information is required by 37 CFR 1.6. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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PTO/SB/17 (10-03)

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**FEE TRANSMITTAL  
for FY 2004**

Effective 10/01/2003. Patent fees are subject to annual revision.

☐ Applicant claims small entity status. See 37 CFR 1.27**TOTAL AMOUNT OF PAYMENT** (\$)**1,280.00****Complete if Known**

Application Number 09/863,818

Filing Date May 23, 2001

First Named Inventor Daniel M. Gorman

Examiner Name D. Jiang

Art Unit 1646

Attorney Docket No. DX01170K

**METHOD OF PAYMENT (check all that apply)**☐ Check ☐ Credit Card ☐ Other ☐ None☒ Deposit Account:

Deposit Account Number: 04-1239

Deposit Account Name: DNAX Research, Inc.

The Commissioner is authorized to: (check all that apply)

☐ Charge fee(s) indicated below ☒ Credit any overpayments☒ Charge any additional fee(s) during the pendency of this application☒ Charge fee(s) indicated below, except for the filing fee to the above-identified deposit account.**FEE CALCULATION****1. BASIC FILING FEE**

Large Entity Fee Code (\$)	Small Entity Fee Code (\$)	Fee Description	Fee Paid
1001 770	2001 385	Utility filing fee	0
1002 340	2002 170	Design filing fee	
1003 530	2003 265	Plant filing fee	
1004 770	2004 385	Reissue filing fee	
1005 160	2005 80	Provisional filing fee	

**SUBTOTAL (1) \$ 0****2. EXTRA CLAIM FEES FOR UTILITY AND REISSUE**

Total Claims	Extra Claims	Fee from Below	Fee Paid
6	-20** = 0	X	
1	-3** = 0	X	
Multiple Dependent			

Large Entity Fee Code (\$)	Small Entity Fee Code (\$)	Fee Description
1202 18	2202 9	Claims in excess of 20
1201 86	2201 43	Independent claims in excess of 3
1203 290	2203 145	Multiple dependent claim, if not paid
1204 86	2204 43	** Reissue independent claims over original patent
1205 18	2205 9	** Reissue claims in excess of 20 and over original patent

**SUBTOTAL (2) \$ 0**

\*\* or number previously paid, if greater; For Reissues, see above

**FEE CALCULATION (continued)****3. ADDITIONAL FEES**

Large Entity Fee Code (\$)	Small Entity Fee Code (\$)	Fee Description	Fee Paid
1051 130	2051 65	Surcharge - late filing fee or oath	
1052 50	2052 25	Surcharge - late provisional filing fee or cover sheet	
1053 130	2053 130	Non-English specification	
1812 2,520	2812 2,520	For filing a request for <i>ex parte</i> reexamination	
1804 920*	2804 920*	Requesting publication of SIR prior to Examiner action	
1805 1,840*	2805 1,840*	Requesting publication of SIR after Examiner action	
1251 110	2251 55	Extension for reply within first month	
1252 420	2252 210	Extension for reply within second month	
1253 950	2253 475	Extension for reply within third month	950
1254 1,480	2254 740	Extension for reply within fourth month	
1255 2,010	2255 1,005	Extension for reply within fifth month	
1401 330	2401 165	Notice of Appeal	330
1402 330	2402 165	Filing a brief in support of an appeal	
1403 290	2403 145	Request for oral hearing	
1451 1,510	2451 1,510	Petition to institute a public use proceeding	
1452 110	2452 55	Petition to revive - unavoidable	
1453 1,330	2453 665	Petition to revive - unintentional	
1501 1,330	2501 665	Utility issue fee (or reissue)	
1502 480	2502 240	Design issue fee	
1503 640	2503 320	Plant issue fee	
1480 130	2480 130	Petitions to the Commissioner	
1807 50	2807 50	Processing fee under 37 CFR 1.17(q)	
1806 180	2806 180	Submission of Information Disclosure Stmt	
8021 40	28021 40	Recording each patent assignment per property (times number of properties)	
1809 770	2809 385	Filing a submission after final rejection (37 CFR 1.129(a))	
1810 770	2810 385	For each additional invention to be examined (37 CFR 1.129(b))	
1801 770	2801 385	Request for Continued Examination (RCE)	
1802 900	2802 900	Request for expedited examination of a design application	

Other fee (specify)

\* Reduced by Basic Filing Fee Paid

**SUBTOTAL (3) \$ 1280****SUBMITTED BY**

(Complete if applicable)

Name (Print/Type) Sheela Mohan-Peterson

Registration No. 41,201

Telephone 1-650-496-6400

Signature

*Sheela Mohan-Peterson*

Date 21-May-2004

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Attorney Docket: DX01170K

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:

Daniel M. Gorman (sole)

Serial No.: 09/863,818

Filed: May 23, 2001

For: MAMMALIAN DCRS9; RELATED  
REAGENTS AND METHODS

Examiner: Dong Jiang

Art Unit: 1646

Conf. No.: 8990

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Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

I hereby certify that this correspondence is being transmitted by facsimile to the U.S. Patent and Trademark Office, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, Fax Number (703) 872-9306, Attention: Examiner D. Jiang, Art Unit 1646, on 5-21-04.

by:

MELANIE LYONS

REQUEST FOR AN EXTENSION OF TIME UNDER 37 C.F.R. 1.136(a)

Sir:

Applicant(s) respectfully request(s) the grant of a **THREE (3)** month extension of time to respond to the Office Action mailed December 5, 2003, in connection with the above-identified application, thus extending the time for response from March 5, 2004, to June 7, 2004. (June 5, 2003 is a Saturday, and June 6, 2003 is a Sunday).

The fee for extension is calculated to be:

☒ \$950.00 (for a three-month extension under 37 CFR §1.17(a)(3))

The Commissioner is hereby authorized to charge the requisite fee to DNAX Deposit Account 04-1239. Please charge any additional fees or credit overpayment to DNAX Deposit Account No. 04-1239.

Respectfully submitted,

Date: 21-May-2004By: Sheela Mohan-Peterson  
Sheela Mohan-Peterson, Reg. No. 41,201  
Attorney for ApplicantsDNAX Research, Inc.  
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